

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

KOREA ADVANCED INSTITUTE OF
SCIENCE AND TECHNOLOGY

Plaintiff,

v.

KIP CO., LTD. f/k/a KAIST IP Co., Ltd.;
P&IB CO., LTD.;
IN GYOO KANG;
KIPB LLC f/k/a KAIST IP US LLC;
PAULINA FUNDINGCO, LLC; and
U.S. BANK NATIONAL ASSOCIATION

Defendants.

Case No. 2:22-CV-00317-WED

Action Filed: March 5, 2022

**DEFENDANTS KIP CO., LTD., P&IB CO., LTD., IN GYOO KANG, AND
KIPB LLC’S MOTION TO DISMISS PLAINTIFF’S AMENDED COMPLAINT**

Defendants KIP Co., Ltd. (“KIP”), P&IB Co., Ltd. (“P&IB”), In Gyoo Kang, and KIPB LLC respectfully move the Court to dismiss Claims I, II, III, IV, and V of Plaintiff Korea Advanced Institute of Science & Technology (“KAIST”)’s Amended Complaint under the doctrine of *forum non conveniens* due to the existence of KAIST’s enforceable, binding arbitration agreements with KIP and P&IB that designate the proper arbitral forum, and Counts I and II, in the alternative, for failure to state a claim upon which relief can be granted under Federal Rule of Civil Procedure 12(b)(6).

WHEREFORE, for all the foregoing reasons and the reasons fully set forth in the supporting memorandum of law, KIP Co., Ltd., P&IB Co., Ltd., In Gyoo Kang, and KIPB LLC request that this Court dismiss Plaintiff’s claims in their entirety.

Dated: June 3, 2022

Respectfully submitted,

/s/ Hyung Gyu Sun

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Ltd., In Gyoo Kang, and KIPB LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of June, 2022, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the foregoing was served by electronic delivery to the following registrants:

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